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TO: Examiner Ruth Davis
USPTO FACSIMILE NO.: (571) 273-0915
USPTO REFERENCE: Applicant: Morton, et al.
Serial No.: 10/811762
Filed: 29-Mar-2004
Title: METHOD OF NONINVASIVELY OBTAINING
INTRADUCTAL FLUID
ATTORNEY: Rose M. Thiessen
PHONE NO.: 619.235.8550
ATTORNEY DOCKET NO.: NEOMTRX.4C1D3C1
TOTAL PAGES: 14 (INCLUDING COVER SHEET)
DATE: January 5, 2005

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MESSAGE: *Attached for filing in the above-referenced application are:*

- (X) Transmittal
- (X) Preliminary Amendment in 4 pages.
- (X) Terminal Disclaimer with copy of Assignment in 5 pages.
- (X) Power of Attorney in 2 pages.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

S:\DOCS\RMTRMT-6053.DOC: 010505

Orange County
949-760-0404

San Francisco
415-954-4114

Los Angeles
310-551-3450

Riverside
951-781-9231

San Luis Obispo
805-547-5580

Docket No.: NEOMTRX.4C1D3C1

Customer No.: 20,995

AMENDMENT / RESPONSE TRANSMITTAL

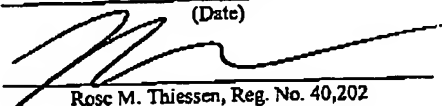
Applicant : Morton, et al.
 App. No. : 10/811762
 Filed : March 29, 2004
 For : METHOD OF
 NONINVASIVELY
 OBTAINING INTRADUCTAL
 FLUID
 Examiner : Davis, R.
 Art Unit : 1651

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being transmitted via facsimile to the Examiner Ruth Davis of the USPTO at Fax No. (571) 273-0915 on the date shown below:

January 5, 2005

(Date)


 Rose M. Thiessen, Reg. No. 40,202

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Preliminary Amendment in 4 pages.
- (X) Terminal Disclaimer with copy of Assignment in 5 pages.
- (X) Power of Attorney in 2 pages.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.


The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	15 - 20 = 0	2202 (\$25)	0 x 25 =	\$0
Independent Claims	1 - 3 = 0	2201 (\$100)	0 x 100 =	\$0
Multiple Claim		2203 (\$180)		\$0
1 Month Extension		2251 (\$60)		\$0
2 Month Extension		2252 (\$225)		\$0
3 Month Extension		2253 (\$510)		\$0
Terminal Disclaimer		2814 (\$65)		\$65
			TOTAL FEE DUE	\$65

Docket No.: NEOMTRX.4C1D3C1

Customer No.: 20,995

- (X) Please charge any additional fees, including the \$65 terminal disclaimer fee, and any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Rose M. Thiessen
Registration No. 40,202
Attorney of Record
Customer No. 20,995
(619) 235-8550

S:\DOCS\RMTRMT-6049.DOC: 010505

Application No.: 10/072,539
Filing Date: February 8, 2002

PATENT
Client Code: NEOMTRX.4C1DV3
Page 1

COPY
ASSIGNMENT

WHEREAS, We, Kevin B. Morton, a United States citizen, residing at 25836 Cordillera Drive, Mission Viejo, CA 92691; Rex O. Bare, a United States citizen, residing at 22467 Overlake Drive, Lake Forest, CA 92630; Jeffrey C. Smith, a United States citizen, residing at 123 1/2 43rd St., Newport Beach, CA 92643; Timothy J. Payne, a United Kingdom citizen, residing at 2605 N. Baker St., Santa Ana, CA 92706; and Paul Gleason, a United States citizen, residing at 14 Gaeta, Laguna Niguel, CA 92677, have invented certain new and useful improvements in a METHOD OF NONINVASIVELY OBTAINING INTRADUCTAL FLUID for which we have filed an application for Letters Patent in the United States, Application No. 10/072,539, filed February 8, 2002;

AND WHEREAS, Neomatrix, LLC (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 16 Technology Drive, Suite 116, Irvine, CA 92618, desire to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21st day of May, 2002.

Kevin B. Morton

STATE OF California

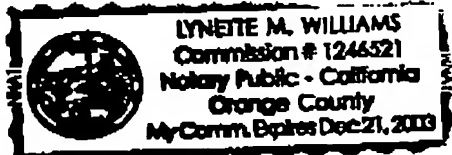
COUNTY OF Orange

ss.

On 5.24.02, before me, Lynette Williams, personally appeared Kevin B. Morton personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Lynette Williams
Notary Signature

Application No.: 10/072,539
Filing Date: February 8, 2002

PATENT
Client Code: NEOMTRX.4CIDV3
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 25th day of May, 2002

STATE OF

COUNTY OF

California
Orange

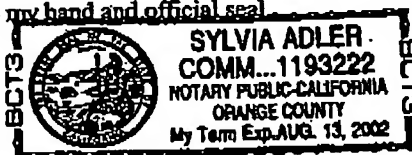
ss.

COPY

On May 23, 2002 before me, Sylvia Adler, personally appeared Rex O. Bare: personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

[SEAL]



Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 23rd day of May, 2002

STATE OF

COUNTY OF

California
Orange

ss.

COPY

On May 23, 2002 before me, Sylvia Adler, personally appeared Jeffrey C. Smith: personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

[SEAL]



Notary Signature

Application N : 10/072,539
Filing Date: February 8, 2002

PATENT
Client Code: NEOMTRX.4C1DV3
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 23rd day of MAY, 2002

Timothy J. Payne

STATE OF

California

COUNTY OF

Orange ss.

On May 23, 2002 before me, Sylvia Adler personally appeared Timothy J. Payne personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 23 day of MAY, 2002

Paul Gleason

STATE OF

California

COUNTY OF

Orange ss.

On May 23, 2002 before me, Sylvia Adler personally appeared Paul Gleason personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature

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